



Pat Quinn, Governor
Joseph Klingler, Interim Director

November 10, 2010

Ms. Vicki Thomas
Executive Director
Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706

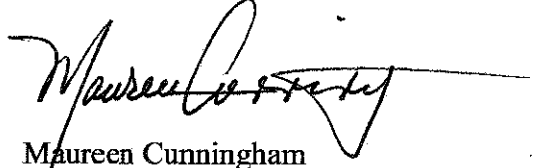
Re: 32 Ill. Adm. Code 330.40

Dear Ms. Thomas:

Attached please find the Illinois Emergency Management Agency's response to the Joint Committee on Administrative Rules (JCAR) objection to and filing prohibition for the rulemaking titled "Licensing of Radioactive Material" (32 Ill. Adm. Code 330; 33 Ill. Reg. 12061).

JCAR questions may be directed to Louise Michels, Staff Attorney at 217-785-9876 or Traci Burton, Paralegal Assistant at 785-9860, telefax number 524-3698.

Sincerely,



Maureen Cunningham
Chief Legal Counsel

Enclosure



ILLINOIS REGISTER

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF MODIFICATION TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Licensing of Radioactive Material
- 2) Code Citation: 32 Ill. Adm. Code 330
- 3) Section Number: 330.40 Proposed Action:
Modification
- 4) Date Notice of Proposed Rules Published in the Register: August 28, 2009; 33 Ill. Reg. 12061
- 5) Date JCAR Statement of Objection and Filing Prohibition Published in the Register: August 27, 2010; 34 Ill. Reg. 12562
- 6) Summary of Action Taken by the Agency:

At its meeting on August 10, 2010, the Joint Committee on Administrative Rules (JCAR) issued an objection to and filing prohibition for the rulemaking titled "Licensing of Radioactive Material" (32 Ill. Adm. Code 330; 33 Ill. Reg. 12061). According to JCAR, "the rulemaking causes a significant adverse economic impact on the affected public. JCAR further requests that IEMA conduct an additional meeting to enable the affected public to present data in an attempt to show that the public health and safety can be protected with less adverse economic impact."

As requested, IEMA held a public meeting on October 27, 2010, to collect data regarding economic impact of the proposed rulemaking. IEMA allowed a question and answer time so that people could get IEMA's interpretation of the rulemaking and to discuss various issues. In addition, IEMA received oral comment from 19 individuals representing varying interests in this matter. Finally, IEMA received 10 written comments on the issue.

IEMA has reviewed and considered all the comments presented. There were some new ideas brought out in the public meeting that need to be addressed. Based on these new ideas, IEMA is considering modifications to the proposed rulemaking. IEMA plans on discussing these modifications with JCAR in the near future and is hopeful that JCAR will find the modifications acceptable and will remove the filing prohibition.